

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

JAMES J. THOLE and SHERRY SMITH)
on behalf of themselves individually, and)
on behalf of all others similarly situated,)
)
Plaintiffs,)) Case No. 13-cv-2687 JNE/JJK
v.))
)
U.S. BANK, NATIONAL))
ASSOCIATION, et al.,))
)
Defendants.))

NOTICE OF APPEAL

Notice is hereby given that James J. Thole and Sherry Smith, Plaintiffs in the above captioned case, hereby appeal to the United States Court of Appeals for the Eighth Circuit from the Judgment in a Civil Case [ECF No. 239], as well as the Order granting Defendants' Motion to Dismiss for Lack of Standing Under Rule 12(b)(1), both entered in this action on December 29, 2015 [ECF No. 238]. Plaintiffs also hereby appeal from the Order entered in this case on November 11, 2014, granting in part Defendants' Motion to Dismiss the Consolidated Amended Complaint or for Partial Summary Judgment, and denying Plaintiffs' Motion for Relief under Federal Rule of Civil Procedure 56(d) [ECF No. 146], and the Order entered March 18, 2016, denying Plaintiffs' Motion for Attorney's Fees and Expenses [ECF No. 267].

Date: April 15, 2016

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